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[Your Name]

[Your Title]

[Your Company]

[Street Address, City, State ZIP]

May 14, 2026

[Opposing Counsel Name]

[Firm Name]

[Address]

Re: U.S. Patent No. 10959649 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 10959649 (the "10959649 Patent"). After preliminary review, we have substantial concerns about the validity, enforceability, and scope of the asserted claims, summarized below. We reserve all rights and defenses.

1. Subject Patent — Summary

Patent Summary: US 10,959,649 B2

Date of Analysis: May 1, 2026

A comprehensive review of US Patent 10,959,649, titled "Systems and methods for stride length calibration," has been conducted. The following summary provides key details of the patent and a plain-language explanation of its independent claims.

Key Patent Details:

- Title: Systems and methods for stride length calibration
- Assignee: Beijing Shunyuan Kaihua Technology Co Ltd
- Inventor: Ming Shun Fei
- Filing Date: January 29, 2015
- Issue Date: March 30, 2021
- Abstract: Described herein are systems, devices, and methods for determining a user's stride length and monitoring various aspects of the user's activities. An...

2. Validity Concerns under 35 U.S.C. § 102 — Prior Art

We have identified prior-art references that, in our preliminary view, anticipate one or more asserted claims of the 10959649 Patent:

Based on the information cited in US patent 10,959,649 and a review of its prosecution history, the following analysis details the most relevant prior art references and their potential for anticipation under 35 U.S.C. § 102.

For a prior art reference to anticipate a claim under 35 U.S.C. § 102, it must disclose, either expressly or inherently, every limitation of the claim. The key inventive concept of US 10,959,649, as established during its prosecution, is the specific method of using a "verified stride length" determined at a first step rate to adjust the "estimated stride lengths" associated with other, different step rates.

Analysis of Cited Prior Art

1. US 2008/0133139 A1 (Vock et al.)

- Full Citation: US Patent Application Publication No. 2008/0133139 A1
- Publication Date: June 5, 2008
- Brief Description: Vock et al. describes a system for determining stride length using an inertial sensor (like an accelerometer) to measure step frequency. This data is correlated with a database to determine a corresponding stride length. Vock et al. also explicitly discloses using a...

3. Obviousness under 35 U.S.C. § 103

Independent of § 102, we believe the asserted claims are obvious in view of combinations of prior art that a person having ordinary skill in the art would have been motivated to combine:

Based on the prior art references detailed previously, this analysis examines the potential obviousness of US patent 10,959,649 under 35 U.S.C. § 103.

Obviousness Standard and the Person of Ordinary Skill

Under 35 U.S.C. § 103, a patent claim is invalid if the differences between the claimed invention and the prior art are such that the invention as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art (PHOSITA).

For the technology in patent '649, a PHOSITA would likely be an engineer or computer scientist with a bachelor's degree and experience in wearable consumer electronics, sensor data processing (specifically from accelerometers and GPS), and the development of fitness-tracking algorithms.

Obviousness Combination of Prior Art

A strong argument for obviousness can be constructed by combining the teachings of US 2008/0133139 A1 (Vock et al.) and US 2014/0278211 A1 (Yuen et al.). The combination of these references teaches nearly all elements of the independent claims of patent '649, and the remaining gap could be...

4. Litigation History of the Patent

Public records reflect that the 10959649 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Zepp North America Inc et al. v. Oura Health Oy — 2:26-cv-00316 · Texas Eastern District Court · filed 2026-04-21 · Open

5. Request

In light of the foregoing, we request that your client (i) provide a detailed claim chart identifying each accused product or service and mapping every limitation of each asserted claim, (ii) identify any prior art known to your client, including any references cited during prosecution or reexamination, and (iii) substantiate the basis for any damages or licensing demand. We are prepared to discuss the matter further once we have received and reviewed the foregoing.

Sincerely,

[Your Name]

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